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RESOLUTION NO. 04-230

RESOLUTION OF FINDINGS OF ADVISABILITY AND
RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER
DISTRIBUTION SYSTEM NUMBER 448-89932 (EAST OF WOODLAWN,
SOUTH OF 29TH)** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO
FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF
CONSTRUCTING **WATER DISTRIBUTION SYSTEM NUMBER 448-89932 (EAST OF
WOODLAWN, SOUTH OF 29TH)** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY
MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water
Distribution System Number 448-89932 (east of Woodlawn, south of 29th)** in the City of
Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be
Forty-two Thousand Dollars (\$42,000), exclusive of the cost of interest on borrowed money,
with **100** percent of the total cost payable by the improvement district. Said estimated cost as
above set forth is hereby increased at the pro-rata rate of 3 percent per year from and after
March 1, 2004, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement
district, when ascertained, shall be assessed against the land lying within the improvement
district described as follows:

Lot 1, Block 1, Hinkle's Addition, Sedgwick County, Kansas; EXCEPT; Beginning at
the Southwest corner of Lot 1 of said Hinkle's Addition, Sedgwick County, Kansas;
thence along the west line of Lot 1 of said Hinkle's Addition on an assumed bearing of
N00°00'00"E for 584.50 feet; thence S89°55'53"E for 334.00 feet; thence N00°00'00"E
for 217.00 feet; thence S89°55'53"E for 450.00 feet; thence S00°00'00"E for 801.50 feet
to the south line of said Hinkle's Addition; thence N89°55'53"W along the south line of
said Hinkle's Addition for 784.00 feet to the point of beginning, AND EXCEPT; The
south 801.50 feet of said Lot 1, except the west 784.00 feet thereof.

SECTION 4. That the method of apportioning all costs of said improvements
attributable to the owners of land liable for assessment shall be on a **fractional** basis:

Lot 1, Block 1, Hinkle's Addition, Sedgwick County, Kansas; EXCEPT; Beginning at
the Southwest corner of Lot 1 of said Hinkle's Addition, Sedgwick County, Kansas;
thence along the west line of Lot 1 of said Hinkle's Addition on an assumed bearing of
N00°00'00"E for 584.50 feet; thence S89°55'53"E for 334.00 feet; thence N00°00'00"E

for 217.00 feet; thence S89°55'53"E for 450.00 feet; thence S00°00'00"E for 801.50 feet to the south line of said Hinkle's Addition; thence N89°55'53"W along the south line of said Hinkle's Addition for 784.00 feet to the point of beginning, AND EXCEPT; The south 801.50 feet of said Lot 1, except the west 784.00 feet thereof; shall pay 100% of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, May 11, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)